

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
Plaintiff,	:	
	:	CIVIL ACTION NO.
v.	:	
	:	1:12-CV-2296-TCB
AUBREY LEE PRICE, <i>et al.</i> ,	:	
Defendants.	:	
	:	

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**ORDER RELEASING PROPERTY FROM RECEIVERSHIP**

WHEREAS Amerisave Mortgage Corporation (hereinafter “Amerisave”) filed a motion seeking the release of real property known as 4616 Rainwood Circle, Valdosta, Georgia 31602 (hereinafter the “Property”) from the Receivership Estate so that it may foreclose upon the Property, and

WHEREAS the Receiver has determined, after extensive marketing and analysis of the Property, that there is no equity in the Property that the Receivership Estate would realize from a sale of the Property, and

WHEREAS the Receiver has consented to the release of the Property from the Receivership Estate, it is hereby

ORDERED that the Property is released from the Receivership Estate in this action and Amerisave, its successors and assigns, may proceed to assert all state law and contract rights in the Property including foreclosure. It is further

ORDERED that the Receivership Estate and Receiver shall not be liable for payment of any expenses or liabilities related to the Property including, without limitation, real estate taxes and homeowner's association dues and assessments. The foregoing notwithstanding, nothing herein shall be interpreted to require Amerisave to accept any liability for payment of any agreements or contracts regarding the Property entered into by the Receiver or its agents or any damages to the Receiver, its agents, or third parties arising from negligence or intentional acts by the Receiver or its agents. It is further

ORDERED that in the event the Property sells for an amount greater than the full amount due to Amerisave under its security deed and other loan documents, including fees and costs, Amerisave shall not interplead or pay such surplus funds to Aubrey Lee Price or his creditors but shall pay such surplus to the Receiver for the benefit of the Receivership Estate. It is further

ORDERED that upon payment of such costs as may be required by the Lowndes County Clerk of Superior Court, a copy of this order may be filed in the Lowndes County real estate records and be cross-indexed to the Order Appointing

Receiver (Doc. 20) recorded on September 11, 2012 at Deed Book 5108, Page 146, and shall serve as notice to the world that the Property is no longer a part of the Receivership Estate or otherwise subject to the asset freeze set out in the Order Appointing Receiver.

SO ORDERED this 9th day of February, 2015.

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The Honorable Timothy C. Batten, Sr.  
United States District Court  
Northern District of Georgia

Prepared and presented by:

/s/ Wm. Matthew Suber  
Wm. Matthew Suber  
Georgia Bar No. 153002  
Attorney for Amerisave Mortgage Corporation

Consented to by:

/s/ Kenneth Dante Murena  
Kenneth Dante Murena by Wm. Matthew Suber with express permission  
Florida Bar No. 147486  
Attorney for the Receiver